



## **Forum of Nuclear Regulatory Bodies in Africa**

**Thematic Working Group Regulatory Infrastructure for Nuclear Power  
Plants (TWG3-NPP)**

**Report on the status of Conventions in TWG3-NPP  
Participating Countries**

### 1 PURPOSE

The purpose of the report is to document the outcome of a survey that was conducted among the TWG3 participating countries on the status of participation in international conventions.

### 2 BACKGROUND

The Terms of Reference of the TWG3-NPP calls for the convergence on regulatory standards and practices of participating countries. This will be achieved through comparison of regulatory standards and practices of the participating countries and comparing with other international standards and practices such as those prescribed by the IAEA, WENRA, MDEP, USNRC, etc. Surveys in the form of questionnaires will be primarily used to solicit the required information from participating countries on various topics relating to the required regulatory infrastructure for Nuclear Power Plants.

The Global Nuclear Safety Regime is the framework for achieving the worldwide implementation of a high level of safety at nuclear installations. Its core is the activities undertaken by each country to ensure the safety and security of the nuclear installations within its jurisdiction. But national efforts are and should be augmented by the activities of a variety of international enterprises that facilitate nuclear safety such as intergovernmental organizations.

The assurance of nuclear safety is reinforced by a number of intergovernmental agreements. These include certain Conventions that are legally binding on the participating States. Since 1986, a number of legally binding conventions that have the aim of increasing nuclear safety and security worldwide have been ratified in the areas of nuclear, radiation and waste safety. These are the:

- i. Convention on Early Notification of a Nuclear Accident (1986);
- ii. Convention on Assistance in the Case of Nuclear Accident of Radiological Emergency (1987);
- iii. Convention on the Physical Protection of Nuclear Material (1987),
- iv. Convention on the Physical Protection of Nuclear Material – Amended Scope (2005);
- v. Convention on Nuclear Safety (CNS) (1994);
- vi. Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management (2001).
- vii. Treaty on the Non-Proliferation of Nuclear Weapons (1970)
- viii. Treaty on the Non-Proliferation of Nuclear Weapons – Model Additional Protocol
- ix. Protocol to amend the 1963 Vienna Convention on Civil Liability for nuclear damage (1997)
- x. Convention on Supplementary Compensation for Nuclear Damage

The TWG3-NPP Work Programme, agreed to during the planning meeting in Mombasa, Kenya, on 15 July 2011, includes an initiative to determine the status of participation in international conventions of TWG3-NPP member countries. A survey was compiled and circulated on 16 August 2011. After initial input from some of the 16 participating countries, the survey was completed using input from the information on the IAEA website (<http://ola.iaea.org/factSheets/>). The results were circulated a second time and an opportunity was given to confirm the status as extracted from the website. Appendix A reflects the status considering the input received.

### 3 DEFINITIONS

The following describe the context in which the various terms have been used in the questionnaire:

**Accede/Accession:** 'Accession' is an act by which a State signifies its agreement to be legally bound by the terms of a particular convention. It has the same legal effect as ratification, but is not preceded by an act of signature. The formal procedure for accession varies according to the national legislative requirements of the State. To accede to a convention, the appropriate national organ of a State – Parliament, Senate, the Crown, Head of State or Government, or a combination of these – follows its domestic approval procedures and makes a formal decision to be a party to the convention.

**Ratify/Ratification:** 'Ratification' is an act by which a State signifies an agreement to be legally bound by the terms of a particular convention. To ratify a convention, the State first signs it and then fulfils its own national legislative requirements. Once the appropriate national organ of the country – Parliament, Senate, the Crown, Head of State or Government, or a combination of these – follows domestic constitutional procedures and makes a formal decision to be a party to the convention.

**Signature:** 'Signature' of a convention is an act by which a State provides a preliminary endorsement of the instrument. Signing does not create a binding legal obligation but does demonstrate the State's intent to examine the treaty domestically and consider ratifying it. While signing does not commit a State to ratification, it does oblige the State to refrain from acts that would defeat or undermine the convention's objective and purpose.

### 4 SUMMARY

The results from the survey are summarized in the table below. Most (> 60%) of the 16 participating countries have either acceded to, ratified and/or signed the following conventions relating to safeguards and security (highlighted in green in the table):

- Convention on the Physical Protection of Nuclear Material (1987)
- Treaty on the Non-Proliferation of Nuclear Weapons (1968)
- Treaty on the Non-Proliferation of Nuclear Weapons – Model Additional Protocol

About 50% of the TWG3-NPP members participate in:

- Convention on Early Notification of a Nuclear Accident (1986)
- Convention on Assistance in the Case of Nuclear Accident or Radiological Emergency (1987)

Most of the TWG3-NPP countries are however not participating in the following conventions (highlighted in orange):

- Convention on the Physical Protection of Nuclear Material – Amended Scope (2005)
- Convention on Nuclear Safety - (1994)
- Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management (2001)
- Protocol to amend the 1963 Vienna Convention on Civil Liability for nuclear damage (1997)
- Convention on Supplementary Compensation for Nuclear Damage

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In particular, all TWG3-NPP nuclear countries should become Contracting Parties to the Convention on Nuclear Safety and participate in the Convention on Early Notification of a Nuclear Accident and Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency. In light of the fact that a nuclear accident knows no boundaries, every country engaged in the nuclear enterprise should be connected to the international nuclear community through these conventions.

Convention	Acceded/ Ratified		Signatory / Deposition	
	(#)	(%)	(#)	(%)
Convention on Early Notification of a Nuclear Accident (1986)	8	50%	9	56%
Convention on Assistance in the Case of Nuclear Accident or Radiological Emergency (1987)	8	50%	9	56%
Convention on the Physical Protection of Nuclear Material (1987)	14	88%	4	25%
Convention on the Physical Protection of Nuclear Material – Amended Scope (2005)	3	19%	2	13%
Convention on Nuclear Safety - (1994)	5	31%	6	38%
Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management (2001)	4	25%	1	6%
Treaty on the Non-Proliferation of Nuclear Weapons (1968)	0	0%	14	88%
Treaty on the Non-Proliferation of Nuclear Weapons – Model Additional Protocol	0	0%	10	63%
Protocol to amend the 1963 Vienna Convention on Civil Liability for nuclear damage (1997)	2	13%	1	6%
Convention on Supplementary Compensation for Nuclear Damage	1	6%	2	13%

**APPENDIX A: STATUS OF TWG3 MEMBERS PARTICIPATION**

<b>Convention (Year of entry into force)</b>	<b>TWG3 Country</b>	<b>Instrument (Ratification or Accession)</b>	<b>Entry into force (Date)</b>	<b>Comments, Declarations, Reservations, etc.</b>	<b>Status of Reporting in terms of Convention</b>
1. Convention on Early Notification of a Nuclear Accident (1986);	Burkina Faso			Non-Party	
	Democratic Rep. of the Congo			Signed: 30 September 1986 Non party (IAEA status)	No Report
	Egypt	ratification:	1988-07-06	Signature: 1986-09-26	
	Ethiopia			Non-Party	
	Kenya			Non-Party	
	Libya	accession: 2009-08-13:	2009-09-12		
	Morocco	ratification: 1993-10-07	1993-11-07	Signature: 1986-09-26	
	Namibia	NIL	NIL	Non-Party	
	Niger			Signature: 1986-09-26	
	Nigeria	ratification: 1990-08-10	1990-09-10	Signature: 1987-01-21	Nil Report
	Senegal	ratification: 2008-12-24	2009-01-23	Signature: 1987-06-15	
	Sudan			Signature: 1986-09-26	
	Uganda			Non-Party	
	South Africa	ratification: 1987-08-10	1987-09-10	Signature: 1987-08-10	
Tanzania	accession: 2005-01-27	2005-02-26			
Tunisia	ratification: 1989-02-24	1989-03-27	Signature: 1987-02-24		
2. Convention on	Burkina Faso			Non-Party	

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Convention (Year of entry into force)	TWG3 Country	Instrument (Ratification or Accession)	Entry into force (Date)	Comments, Declarations, Reservations, etc.	Status of Reporting in terms of Convention
Assistance in the Case of Nuclear Accident or Radiological Emergency (1987);	Democratic Rep. of Congo			Signed: 30 September 1986 Non party (IAEA status)	No Report
	Egypt	ratification:	1988-10-17	Signature: 1986-09-26	
	Ethiopia			Non-Party	
	Kenya			Non-Party	
	Libya	accession: 1990-06-27	1990-07-28		
	Morocco	ratification: 1993-10-07	1993-11-07	Signature: 1986-09-26	
	Namibia			Non-Party	
	Niger			Signature: 1986-09-26	
	Nigeria	ratification: 1990-08-10	1990-09-10	Signature: 1987-01-21	Nil Report
	Senegal	ratification: 2008-12-24	2009-01-23	Signature: 1987-06-15	
	Sudan			Signature: 1986-09-26	
	Uganda			Non-Party	
	South Africa	ratification: 1987-08-10	1987-09-10	Signature: 1987-08-10	
	Tanzania	accession: 2005-01-27	2005-02-26		
Tunisia	ratification: 1989-02-24	1989-03-27	Signature: 1987-02-24		
3. Convention on the Physical Protection of Nuclear Material (1987)	Burkina Faso	accession	2004-01-13		
	Democratic Rep. of Congo	Acceded	21 September 2004		No Report
	Egypt			Non-Party	
	Ethiopia			Non-Party	
	Kenya	accession:	2002-02-11	Non-Party	
	Libya	accession: 2000-10-18	2000-11-17		

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	Morocco	ratification: 2002-08-23	2002-09-22	Signature: 1980-07-25	
	Namibia	accession: 2002-10-02	2002-11-01		
	Niger	ratification: 2004-08-19	2004-09-18	Signature: 1985-01-07	
	Nigeria	accession: 2007-04-04	2007-05-04	Deposit: 04-04-2007	Nil Report
	Senegal	accession: 2003-11-03	2003-12-03		
	Sudan	accession: 2000-05-18	2000-06-17		
	Uganda	accession: 2003-12-10	2004-01-10		
	South Africa	ratification: 2007-09-17	2007-10-17	Signature: 1981-05-18	
	Tanzania	accession: 2006-05-24	2006-06-23		
Tunisia	accession: 1993-04-08	1993-05-08			
4. Convention on the Physical Protection of Nuclear Material – Amended Scope (2005)	Burkina Faso			Non-Party	
	Democratic Rep. of Congo			Non-Party	
	Egypt			Non-Party	
	Ethiopia			Non-Party	
	Kenya			acceptance: 2007-08-01	
	Libya	ratification: 2006-07-19			
	Morocco			Non-Party	
	Namibia			Non-Party	
	Niger	ratification: 2009-05-28			
	Nigeria	ratification: 2007-05-04			Nil Report
	Senegal			Non-Party	
	Sudan			Non-Party	
	Uganda			Non-Party	
	South Africa			Non-Party	
Tanzania			Non-Party		

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	Tunisia			acceptance: 2010-06-07	
5. Convention on Nuclear Safety - (1994)	Burkina Faso			Non-Party	
	Democratic Rep. of Congo			Non-Party	
	Egypt			Signature: 1994-09-20	
	Ethiopia			Non-Party	
	Kenya			Non-Party	
	Libya	accession: 2009-08-13	2009-11-11		
	Morocco			Signature: 1994-12-01	
	Namibia	NIL	NIL	Non-Party	
	Niger			Non-Party	
	Nigeria	ratification: 2007-04-04	2007-07-03	Signature: 1994-09-21	Reports Submitted
	Senegal	accession: 2008-12-2	2009-03-24		Report Submitted April 2011
	Sudan			Signature: 1994-09-20	
	Uganda			Non-Party	
	South Africa	ratification: 1996-12-24	1997-03-24	Signature: 1994-09-20	Reports submitted (2001, 2004, 2007, 2010)
	Tanzania			Non-Party	
Tunisia	ratification: 2010-04-2	2010-07-20	Signature: 1994-09-20		
6. Joint Convention on the Safety of Spent Fuel Management and on the	Burkina Faso			Non-Party	
	Democratic Rep. of Congo			Non-Party	
	Egypt			Non-Party	
	Ethiopia			Non-Party	



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Safety of Radioactive Waste Management (2001)	Kenya			Non-Party	
	Libya			Non-Party	
	Morocco	ratification: 1999-07-23	2001-06-18	Signature: 1997-09-29	
	Namibia	NIL	NIL	Non-Party	
	Niger			Non-Party	
	Nigeria	accession: 2007-04-04	2007-07-03		Reports Submitted
	Senegal	accession: 2008-12-24	2009-03-24		Report Submitted September 2009
	Sudan			Non-Party	
	Uganda			Non-Party	
	South Africa	accession: 2006-11-15	2007-02-13		Reports submitted (2008, 2011)
	Tanzania			Non-Party	
Tunisia			Non-Party		
7. Treaty on the Non-Proliferation of Nuclear Weapons (1968)	Burkina Faso			Signature: 2003-04-17	
	Democratic Rep. of Congo			Signature: 1972-03-01	No Report
	Egypt			Signature: 1981-10-07	
	Ethiopia			Signature: 1977-12-02	
	Kenya			Signature: 2009-09-18	
	Libya		1980-07-08	Signature: 1980-07-08	
	Morocco		1975-02-18	Signature: 1973-01-30	
	Namibia		1998-04-15	Signature: 1998-03-19	
	Niger		2005-02-16	Signature: 2002-06-11	
	Nigeria		1988-02-29	Signature: 1988-02-29	-----
	Senegal			Non-Party	

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	Sudan	Signature 24/12/1968	Deposition 1973-10-31	Party	
	Uganda		2006-02-14	Signature: 2005-06-14	
	South Africa		1991-09-16	Signature: 1991-09-16	
	Tanzania		2005-02-07	Signature: 1992-08-26	
	Tunisia		1990-03-13	Signature: 1989-02-24	
8. Treaty on the Non-Proliferation of Nuclear Weapons – <b>Model Additional Protocol</b>	Burkina Faso			Non-Party	
	Democratic Rep. of Congo			Signature: 2003-04-09	No Report
	Egypt			Non-Party	
	Ethiopia			Non-Party	
	Kenya			Signature: 2009-09-18	
	Libya		2006-08-11	Signature: 2004-03-10	
	Morocco			Non-Party	
	Namibia			Non-Party	
	Niger		2007-05-02	Signature: 2004-06-11	
	Nigeria		2007-04-04	Signature: 2001-09-20	Reports Submitted
	Senegal			Signature: 1980-01-14	
	Sudan			Non-Party	
	Uganda		2006-02-14	Signature: 2005-06-14	
	South Africa		2002-09-13	Signature: 2002-09-13	
	Tanzania		2005-02-07	Signature: 2004-09-23	
Tunisia			Signed: 24 May 2005 Ratification in process		
9. Protocol to amend the 1963 Vienna Convention on Civil Liability for nuclear damage (1997)	Burkina Faso			Non-Party	
	Democratic Rep. of Congo			Non-Party	
	Egypt			Non-Party	
	Ethiopia			Non-Party	
	Kenya			Non-Party	
	Libya			Non-Party	

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	Morocco	ratification: 1999-07-06	2003-10-04	Signature: 1997-09-29	
	Namibia			Non-Party	
	Niger	accession: 1979-07-24	1979-10-24		
	Nigeria			Non-Party	
	Senegal			Non-Party	
	Sudan			Non-Party	
	Uganda			Non-Party	
	South Africa			Non-Party	
	Tanzania			Non-Party	
Tunisia			Non-Party Under evaluation		
10. Convention on Supplementary Compensation for Nuclear Damage	Burkina Faso			Non-Party	
	Democratic Rep. of Congo			Non-Party	
	Egypt			Non-Party	
	Ethiopia			Non-Party	
	Kenya			Non-Party	
	Libya			Non-Party	
	Morocco	ratification: 1999-07-06		Signature: 1997-09-29	
	Namibia			Non-Party	
	Niger			Non-Party	
	Nigeria			Non-Party	
	Senegal			Signature: 2011-09-20	
	Sudan			Non-Party	
	Uganda			Non-Party	
South Africa			Non-Party		
Tanzania			Non-Party		
Tunisia			Non-Party Under evaluation		

